



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,514	03/22/2004	Shaul Levi	112229-002DIV	3394

27189 7590 12/04/2008
PROCOPIO, CORY, HARGREAVES & SAVITCH LLP
530 B STREET
SUITE 2100
SAN DIEGO, CA 92101

EXAMINER

WANG, LIANG CHE A

ART UNIT	PAPER NUMBER
----------	--------------

2453

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

12/04/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@procopio.com
PTONotifications@procopio.com

Office Action Summary	Application No. 10/807,514	Applicant(s) LEVI ET AL.	
	Examiner Liangche A. Wang	Art Unit 2453	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-17 are presented for examination.
2. Claims 1, 12 and 15 are amended.

Response to Arguments

3. Applicant's arguments filed 11/6/08, have been fully considered but they are not persuasive.
4. In that remarks, applicant's argues in substance:
 - a. That: Applicant argues that Moshfeghi and Ji do not teach the amended claims.In response to applicant's argument, the amended claims are rejected under 35 U.S.C. 112, second paragraph as being vague and indefinite. Rejection is maintained and updated rejection is provided.

Specification

5. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. Please avoid using the term "it".

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
8. Referring to claims 1, 12 and 15, claims 1, 12 and 15 recite the limitation "it", which the claims vague and indefinite.
9. All dependent claims are rejected to as having the same deficiencies as the claims they depend from.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
11. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over, Moshfeghi et al., US Patent Number 6,076,166 hereinafter Moshfeghi, in views of Ji et al., US Patent Number 5,623,600, hereinafter Ji.
12. Referring to claim 1, Moshfeghi teaches a method of assuring the quality of data being transmitted in response to a client request (Col 1 lines 36-41), the method comprising:
 - a. a data provider (web server, figure 1) of a website (Col 6 lines 32-43) receiving a request for client requested data over the internet from a client (client 16)(figure 1, Col 2 lines 26-30, Col 1 lines 11-15, web server receives request from client);

- b. obtaining said client requested data at said web site, in response to said request (Col 2 lines 30-36);
- c. transmitting said obtained data to said client (Col 7 lines 28-31).

Moshfeghi does not teach responsive to said request and before providing said obtained client requested data to said client, performing a quality assurance procedure at said data provider on said obtained client requested data to indicate whether said obtained client requested data has been corrupted since it was stored at said web site in order to assure the quality of said obtained client requested data, and if said quality assurance procedure does not indicate that said obtained client requested data is corrupted, then transmitting said data responsive to said quality assurance procedure; and if said quality assurance procedure indicates that said obtained client requested data is corrupted, then not transmitting said obtained client requested data.

Ji teaches virus scanning on the requested data prior to the file transferring, and transferring the file from the system to the recipient if the file does not contain a virus and delete the file if the file contains virus (abstract).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have the client requested data of Moshfeghi to be quality assured by the service provider as taught by McLaughlin, because both Moshfeghi and Ji discloses service providers for providing data to the clients, and Ji further performs virus scanning (quality assurance) prior to the transfer.

A person with ordinary skill in the art would have been motivated to make the modification to Moshfeghi because having the requested data to be quality assured before

transmitting would assure the data quality of the data before provided by the service provider.

13. Referring to claim 2, Moshfeghi teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises comparing said data to said request (Ji, Col 7 lines 19-28).

14. Referring to claim 3, Moshfeghi teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises comparing said obtained client requested data to stored data (Ji, Col 7 lines 19-28).

15. Referring to claim 4, Moshfeghi teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises checking an electronic signature associated with said obtained client requested data (Col 3 lines 58-65).

16. Referring to claim 5, Moshfeghi teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises checking a limited usage-code associated with said obtained client requested data (Col 3 lines 58-65).

17. Referring to claim 6, Moshfeghi teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises checking a one-way hash function of said obtained client requested data (Col 2 lines 26-57).

18. Referring to claim 7, Moshfeghi teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises analyzing a content of said obtained client requested data against a preexisting value (Col 2 lines 43-45).

19. Referring to claim 8, Moshfeghi teaches the method according to claim 1, further comprising transmitting a message when said quality assurance procedure indicates that said obtained client requested data is corrupted (Col 6 lines 55-58).
20. Referring to claim 9, Moshfeghi teaches the method according to claim 9, further comprising receiving said obtained client requested data by a user of said obtained client requested data; and second performing a quality assurance procedure on said obtained client requested data, at said user (Col 7 lines 28-31, user is viewing the retrieved data).
21. Referring to claim 10, Moshfeghi teaches the method according to claim 9, wherein said second performing a quality assurance procedure comprises checking a digital signature of said obtained client requested data (Col 7 lines 28-31, user is viewing the retrieved data).
22. Referring to claim 11, Moshfeghi teaches the method according to claim 1, wherein said performing a quality assurance procedure comprises calculating a checksum for said obtained client requested data (Col 3 lines 5—65, data integrity).
23. Referring to claim 12, Moshfeghi teaches a method of assuring the quality of data being transmitted from a website in response to a client request (Col 1 lines 36-41) comprising:
 - a. receiving a request for data over the internet from a client (figure 1, Col 2 lines 26-30, Col 1 lines 11-15, web server receives request from client);;
 - b. obtaining data, in response to said request, at said provider (Col 2 lines 30-36);
 - c. transmitting said obtained data to said client (Col 7 lines 28-31).

Moshfeghi does not teach responsive to said request and before providing said obtained client requested data to said client, performing a quality assurance procedure at

said data provider on said obtained client requested data to indicate whether said obtained client requested data has been corrupted since it was prepared at said web site in order to assure the quality of said obtained client requested data, and if said quality assurance procedure does not indicate that said obtained client requested data is corrupted, then transmitting said data responsive to said quality assurance procedure; and if said quality assurance procedure indicates that said obtained client requested data is corrupted, then not transmitting said obtained client requested data.

Ji teaches virus scanning on the requested data prior to the file transferring, and transferring the file from the system to the recipient if the file does not contain a virus and delete the file if the file contains virus (abstract).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have the client requested data of Moshfeghi to be quality assured by the service provider as taught by McLaughlin, because both Moshfeghi and Ji discloses service providers for providing data to the clients, and Ji further performs virus scanning (quality assurance) prior to the transfer.

A person with ordinary skill in the art would have been motivated to make the modification to Moshfeghi because having the requested data to be quality assured before transmitting would assure the data quality of the data before provided by the service provider.

24. Referring to claim 13, Moshfeghi teaches the method according to claim 12, wherein said performing a quality assurance procedure comprises checking an electronic signature associated with said data (Col 3 lines 58-65).

25. Referring to claim 14, Moshfeghi teaches the method according to claim 12, wherein if said quality assurance procedure indicates that said obtained data is corrupted, then obtaining back up data (figure 2, Col 6 lines 49-58).

26. Referring to claim 15, Moshfeghi teaches a system for assuring the quality of data being transmitted from a website in response to a client request (Col 1 lines 36-41), the system comprising:

- a. means for receiving a request for data over the internet from a client (figure 1, Col 2 lines 26-30, Col 1 lines 11-15, web server receives request from client);
- b. means for obtaining client requested data, in response to said request, at said provider (Col 2 lines 30-36);
- c. means for transmitting said obtained data to said client (Col 7 lines 28-31).

Moshfeghi does not teach responsive to said request, performing a quality assurance procedure at said data provider on said obtained client requested data to indicate whether said obtained client requested data has been corrupted since it was stored on said web site in order to assure the quality of said obtained client requested data, and if said quality assurance procedure does not indicate that said obtained client requested data is corrupted, then transmitting said data responsive to said quality assurance procedure; and if said quality assurance procedure indicates that said obtained client requested data is corrupted, then not transmitting said obtained client requested data.

Ji teaches virus scanning on the requested data prior to the file transferring, and transferring the file from the system to the recipient if the file does not contain a virus and delete the file if the file contains virus (abstract).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have the client requested data of Moshfeghi to be quality assured by the service provider as taught by McLaughlin, because both Moshfeghi and Ji discloses service providers for providing data to the clients, and Ji further performs virus scanning (quality assurance) prior to the transfer.

A person with ordinary skill in the art would have been motivated to make the modification to Moshfeghi because having the requested data to be quality assured before transmitting would assure the data quality of the data before provided by the service provider.

27. Referring to claim 16, Moshfeghi teaches the method according to claim 15, wherein said performing a quality assurance procedure comprises checking an electronic signature associated with said obtained client requested data (Col 3 lines 58-65).
28. Referring to claim 17, Moshfeghi teaches the method according to claim 15 further comprising: means for obtaining backup data if said quality assurance procedure indicates that said obtained client requested data is corrupted (figure 2, Col 6 lines 49-58).

Conclusion

29. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

30. Strentzsch et al., US Patent Number 6,256,671, teaches a method for providing network access control.
31. Hullett et al., US Patent Number 6,411,627, teaches a providing controlled access to available network service.
32. Sumsion et al., US Patent Number 6,496,865 teaches system and method for providing access to server resource in a distributed network.
33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liangche A. Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
34. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
35. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

Art Unit: 2453

information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Liang-che Alex Wang
December 1, 2008

/Liangche A. Wang/
Primary Examiner, Art Unit 2153